

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)
)
)
) 1:08cr467 (JCC)
v.)
)
Ana Joya De Alfaro)
)
Defendant.)

MEMORANDUM OPINION

This matter is before the Court on the petition of Maria Digna Blano, asserting \$500.00 in forfeited property and the petition of Alicia E. Flores asserting \$205.00 in forfeited property. For the reasons set forth below the petitions are denied.

I.

On October 21, 2008, defendant Ana Joya De Alfaro was stopped at Washington Dulles International Airport with \$28,340.00 in United States currency concealed in her carry-on items. On November 19, 2008, the defendant pleaded guilty to bulk cash smuggling, in violation of 31 U.S.C. § 5332 and was sentenced to time served. A Consent Order of Forfeiture was entered on November 20, 2008.

Petitioners allege in their affidavits "...that on October of 2008, I gave the defendant Ana Joya De Alfaro, the amount of \$500.00 and \$205.00" respectively. No details are set forth.

An unsecured creditor has no legal interest in the forfeited property. *United States v. Schecter*, 251 F.3d 490 (4th Cir. 2001)

Accordingly the petitions of Maria Digna Blano and Alicia E. Flores must be denied.



/s/

James C. Cacheris
United States District Judge

March 26, 2009
Alexandria, VA